

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SASHA TERRELL,

Case No. 25-cv-2691 (LMP/EMB)

Plaintiff,

v.

ALEX RICHARD CONWAY, PHILIP
NASH BEHAN, and PAUL P.
SARRATORI,

Defendants.

**ORDER DENYING REQUEST FOR
EXPEDITED HANDLING OF
MOTION FOR TEMPORARY
RESTRAINING ORDER**

Plaintiff Sasha Terrell filed her complaint on June 25, 2025. ECF No. 1. Terrell asserts claims under various federal statutes against Defendants Alex Richard Conway, Philip Nash Behan, and Paul P. Sarratori (collectively, “Defendants”). *See generally id.* Terrell has not paid the filing fee to open a new matter in this District, and though it appears she intends to proceed *in forma pauperis* (“IFP”), the IFP application form attached to her complaint is incomplete. *See generally* ECF No. 1-1. On June 26, 2025, the Clerk of Court filed a letter informing Terrell that if she does not either pay the filing fee or file a completed IFP application by July 11, 2025, her complaint may be summarily dismissed. *See* ECF No. 3.

At the same time she filed her complaint on June 25, 2025, Terrell filed a document titled “Emergency Motion for Search Warrant, Temporary Restraining Order, Evidence Preservation, Forensic Collection, and Immediate Federal Intervention” (“Emergency TRO Motion”). ECF No. 2. In the Emergency TRO Motion—which she incorporates by

reference into her complaint, *see* ECF No. 1 at 4—Terrell asserts that Defendants, either individually or in concert, have engaged in conduct intended to threaten, intimidate, and harass her, including by accessing a computer Terrell owns and surreptitiously modifying the security settings so she can be digitally surveilled. *See generally* ECF No. 2. Terrell also asserts that she and her minor children are in imminent danger because of the conduct she alleges. *Id.* at 1. Terrell asks for various forms of injunctive relief, including an order requiring Defendants to preserve evidence, requiring forensic analysis of various electronic devices, and requiring Defendants and several non-parties to produce documents. *See* ECF No. 1 at 8–9. Terrell has requested that the Court handle the Emergency TRO Motion on an expedited basis. *See* ECF No. 2 at 1.

Although Terrell has made serious allegations, the Court denies her request to handle the Emergency TRO Motion on an expedited basis. This is because under this District’s Local Rules, a party seeking to bring a new action must either pay the associated filing fee or file an IFP application. *See* D. Minn. L.R. 4.2. Courts have held that a lawsuit does not commence in circumstances where a plaintiff files a complaint but neither pays the filing fee nor files an IFP application. *See Pollack v. Strepp*, No. 96-cv-2129-GTV, 1996 WL 507307, at *2 n.3 (D. Kan. Aug. 5, 1996) (noting that “plaintiff’s action did not commence” on the date he filed his complaint because he did not pay filing fee or file IFP application). This Court cannot consider Terrell’s motion, whether on an expedited basis or in the ordinary course, until this lawsuit has formally commenced, which requires that Terrell either pay the filing fee or file an IFP application. *See id.*; D. Minn. L.R. 4.2.

To be clear, the Court does not deny the Emergency TRO Motion on the merits. Rather, this Order is intended to provide notice to Terrell that the Court will not consider the Emergency TRO Motion at this time. It will only do so once Terrell has satisfied her filing fee obligation. *See* ECF No. 3. Further, as Terrell was warned by the Clerk of Court, *see id.*, failure to pay the filing fee or file a completed IFP application by July 11, 2025, may result in dismissal of the complaint for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

ORDER

1. Terrell's request that the Court handle the Emergency TRO Motion (ECF No. 2) on an expedited basis is **DENIED** as moot; and

2. Terrell must either pay the filing fee associated with opening a new matter or file an IFP application by July 11, 2025, or this matter will be dismissed for failure to prosecute.

Dated: June 27, 2025

s/Laura M. Provinzino

Laura M. Provinzino
United States District Judge